

1885-009 Chancery Causes: James M. Duff vs. Henry S. Preston
Lee Co.

CA-Debt
T-Property

To the Hon. John A. Keely Judge of the
Circuit Court of Lee County Va
Your Orator, James M. Duff, humbly
Complaining sheweth unto your
Honor. that heretofore, at the March
Term 1883, of this Hon. Court your
orator obtained a judgement against
one Henry S. Preston for the sum of
\$26.29, and upon this execution issued
and was placed in the hands of
France Miles deputy for J. S. Ely Sheriff
of Lee County for Collection, and was
by him returned no property found
A Copy of which is herewith filed
marked "A" and is prayed to be con-
sidered herewith as part hereof.
No part of which has ever been paid
but still remains due your Orator.

This judgement has been docketed
and properly indexed in the judgement
lien book of the Clerks office of the
County Court of this County, and does
as your orator is advised, constitute a
lien upon any real estate owned in
said County - The said Preston is the
owner in fee of a valuable tract of
land situated in Lee County Va near
"The Hunters Gap" known as the Preston

farm, whereon one Moses Allen now resides. The rents and profits of this farm will as your orators is informed and charges, pay said judgement, in less than five years.

The object of this bill therefore is to enforce said lien upon said real estate, and rent its same for a sufficient length of time to pay and discharge its same. Your Orators prayer therefore is that said Henry S. Preston be made a party defendant to this bill and answer its allegations on oath and upon a hearing a decree be rendered, enforcing said lien, and renting said real estate, for a period of time sufficient to pay and discharge its same. And for all other juster and general relief May suba-issue &c.

A. L. Pridemore

11/3/00

Received of W. B. Flanagan \$2.00 Sept 13/00
which includes my fee in appointment out
of H. S. Preston vs Jas. M. Duff against said bill
and also my fee in this suit against said
Duff as plaintiff, as well as the retainer
cost, for any fee which may be due me
in the further proceedings in this cause
This Sept 27th 1884. J. A. Applegate

L.P.

James M. Duff.

vs Bill Chy.

H. S. Preston

Exhibit A. Filed.

- 1883, Sept, 27th Bill Filed.
" Octo cont'd & Spd
" Nov. Spd Ad'd, & D. N.
" Decr. D. N. Conf'd & cause
set for hearing.
" Nov. 1. Decree & cont'd
1884 Cont'd this year
1883 Mr. Cont'd
" Aug Decree final

C - \$4.57 to Aug 1884
S^r 50
Est 15.00
Estimated 21.00
\$22.07

James M. Duff Plff

against

H. S. Preston

Def

} In ch

This cause
came on this day upon the bill of the plff
taken for confessed and ~~admitted~~
^{exhibits filed on way} argued by Counsel. On consideration
whereof and for reasons appearing
to the Court it is adjudged ordered
and decreed that the plff recover
from the defendant the sum of
\$25.29 and legal interest thereon from
the 15th day of April 1883 till paid
and the costs of this suit. And
unless he pay the same within 30
days from the rising of this Court
then Reese D. Hlauey Sheriff of this
County will sell the lands in the
bill mentioned ^{or so much thereof as may be necessary} for the period of one
year. He will require so much to
be paid in hand as will pay the
costs of this suit and expense of
renting; and for the residue he will
require bonds payable to himself as
Sheriff. The renting will be made
on some Court day at the front
door of the Court House, ^{of this County} by public
cut out to the highest bidder. The said

James M. Duff

v3 Decree

H. J. Prestons

Nov. 1. 1883

Continued. D. 389

J. A. Wyatt
Clerk

Enter this

Dec. 15. / 83

J. A. Kelly

sheriff will not rent such lands as are now under lease, but will respect the rights of any tenants having crops of wheat on said land. He will rent so as the tenancy shall expire on the first day of ^{Febry.} January 1885; - The said sheriff will report his action to this Court at some future term as the case is continued.

Virginia

Lee Circuit Court, December 1st / 1883.

James M. Duff

vs

H. L. Preston

Plff

Def

In Chancery.

It is adjudged ordered and decreed that the Plaintiff recover from the deft, the sum of \$26.29 and legal interest thereon from the 15th day of April 1883 till paid and the Costs of this suit. And unless he pay the same within 60 days from the rising of this Court, then Rice D. Flanagan Sheriff of this County will rent the lands in the bill mentioned, or so much thereof as may be necessary, for the period of one year, he will require so much to be paid in hand as will pay the costs of this suit and expense of renting; and for the residue he will require bonds payable to himself as sheriff, The renting will be made on some Court day at the front door of the Court house of this county by public outcry to the highest bidder. The said sheriff will not rent such lands as are now under lease, but will respect the rights of any tenants having crops of wheat on said land, He will rent, so as the tenancy shall expire on the first day of Feby 1885. The said sheriff will report his action to this

Court at some future term and
the cause is continued.

A Copy Teste -

J. H. Hyatt c.c.

James M. Duff

Copy of

decrees

vs

H. J. Preston

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You that of the Goods and Chattles of

Henry S. Preston

Late in your Baliwick you cause to be made \$ *26.29* with legal interest thereon from the day of
18~~th~~ ~~th~~ payment which

James M. Duff

Lately in our Circuit Court of Lee County has recovered against him by suit for

Costs

also &

which to the said

James M. Duff

in our Court were adjudged for

his

costs in that behalf expended whereof the said

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the

Henry S. Preston is

Courthouse on the first monday in

June

next to render to the said

Duff

of the

and costs as aforesaid.

And have then there this writ- Witness JOHN A. G. HYATT Clerk of our said court at the courthouse this

day of

April

188 *3*

in the

7

year of the Commonwealth.

J. A. G. Hyatt Clerk.

6 4.94
3 1.40
1 5.00
Surv. 5.00
Car. 1.00
Witness 8.50
Att. 25.84
45-

188) Circuit (Indiana)

Apr 2 1883

James M. Duff
vs ³ Li Sa

Henry S. Preston

Lo James Rules 1883.

No property
found H. M. C. S.

"A"

James H. Thacker
1874. To the Clerk of Lee Circuit Court, Va.

Summons against *James H. Thacker* 21 copy 10 noting 18 \$ 48

docketing 13 attorney 14 filing declaration 10 rules 10 order 20 judgment 129

docketing return taxing cost & copy 20 filing papers 20 execution 40

Recd payment of R. E. Flanagan & Co
Bell's Potomac Press, Alex. Va. *277854* *J. H. Thacker* C. C.

To the Honorable
the President
of the Senate
Washington

THE COMMONWEALTH OF VIRGINIA,

Washington
To The Sheriff Of ~~Lee~~ County Greeting:

We Command You to Summon

H. S. Preston

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

November

next being rule day to answer a bill in Chancery exhibited in our said Court against

him

by

James M. Duff

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

27th

day of

September 188 *3*

, in the 10 ⁸

year of the Commonwealth.

J. A. G. Hyatt Clerk

120

James M. Duff
vs $\frac{3}{3}$ Spa in Chic
H. S. Preston

Lo November Rules 1883

Executed by
giving a copy
of within spec
in chy. to H
S Preston
Oct 2 1883

Robt Hughes
swd

Standing No. 415

-IN-

LEE CIRCUIT COURT.

Pl'ffs ATTY.		Def'ts ATTY.
<i>P</i>	<i>Wm James M</i>	
Pl'ffs costs.		Def'ts costs.
\$	<i>vs. Bill in</i>	\$
.....	<i>Chancery.</i>	
.....	<i>W S Preston</i>	
.....		
.....		
.....		
.....		
.....		
Total \$		\$

Reference Docket. 1 Page 19 Line 33

1st calling.....Term 188.....

Decided August Term 1886

Oct 14 8 yet due

715